Writ Petition no. 206 (S/S) of 2003

Madan Mohan Semwal---------- Petitioner

Versus

State of Uttaranchal and others -- Respondents

Hon'ble M.M.Ghildiyal J.

The petitioner who is postgraduate in commerce and B.Ed. was appointed on 27.6.2002 as L.T. grade teacher under the scheme of SHIKSHA BANDHU on a consolidated salary of Rs.3500.00 per month which was later on increased to Rs.4000.00 per month has filed this writ petition with as prayer to quash the advertisements dated 17.6.2002 and 24.6.2002 by which the Joint Directors of Education, Kumaon Region and Garhwal Region have invited applications for appointment in L.T. grade teachers for various government schools in their respective regions in the State of Uttaranchal and has further prayed for a direction to the State of Uttaranchal to provide weightage to the petitioner as he has worked as SHIKSHA BANDHU.

Heard Sri J.P.Joshi learned counsel for the petitioner and learned Standing Counsel.

The contention of the petitioner is that the petitioner has already crossed 35 years of age. The petitioner could not show under which law or government order he is seeking the relief to get weightage in the appointment to be made by the government. The appointments are to be made in accordance with the rules, which provides that procedure, age limit of the candidate as well as the educational qualification etc. No direction can be issued to the respondents authorities to give weightage or to relax the age of the petitioner for appointment as L.T. grade teachers as he has already worked as SHIKSHA BANDHU. However, in view of the fact that large numbers of candidates were appointed by the government on consolidated salary as SHIKSHA BANDHU for the session 2000-2001 and said scheme of appointing SHIKSHA BANDHU was extended for the session 2001-2002 and 2002-2003. The petitioner and other persons who have been appointed as SHIKSHA BANDHU are qualified for being appointed as L.T. grade

teachers the government keeping in view the fact that some of the persons may have become over age may consider sympathetically for relaxation of age or for giving them preference. Since it is a policy matter no direction can be issued in this regard.

For the reasons stated above the petitioner may approach the government by filing representation which shall be decided by the Secretary, Education, Government of Uttaranchal within a period of four weeks from the date of receipt of representation.

The writ petition is disposed of accordingly.

(M.M. Ghildiyal J.)

June 20, 2003
MPS